

**BEFORE THE  
FEDERAL COMMUNICATIONS  
COMMISSION WASHINGTON, D.C. 20554**

In the Matter of	)	
	)	
Structure and Practices of the	)	CG Docket No. 10-51
Video Relay Service Program	)	
	)	
Telecommunications Relay Services and	)	
Speech-to-Speech Services for Individuals	)	CG Docket No. 03-123
with Hearing and Speech Disabilities	)	

**COMMENTS OF USTELECOM**

USTelecom – the Broadband Association (“USTelecom”)<sup>1</sup> submits these comments in response to the Federal Communications Commission’s (“Commission”) Public Notice (“Notice”) issued in the above-referenced dockets.<sup>2</sup> In its Notice, the Commission seeks comment on the proposed carrier contribution factor and funding requirements for the Interstate Telecommunications Relay Service (“TRS”) Fund submitted by Rolka Loube Associates (“RLA” or “Administrator”), as well as the proposed compensation rates, for the period of July 1, 2019, through June 30, 2020.

USTelecom and its members have a long history of supporting communications access for people with disabilities that reaches back to the very foundations of our industry. In addition to participating in the establishment and deployment of TRS, many of our members provide specialized offerings to members of the disability community. We applaud the Commission for taking steps to be fiscally responsible and guard against waste, fraud and abuse of the TRS Fund,

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<sup>1</sup> USTelecom is the premier trade association representing service providers and suppliers for the telecommunications industry. USTelecom members provide a full array of services, including broadband, voice, data and video over wireline and wireless networks.

<sup>2</sup> See, Public Notice, *Rolka Loube Associates LLC Submits Payment Formulas and Funding Requirement for the Interstate Telecommunications Relay Services Fund for the 2019-2020 Fund Year*, DA 19-407 (May 13, 2019) (*Notice*).

which continues to be critical for the aging population. We commend the Commission for utilizing a cost-based methodology for Internet Protocol Captioned Telephone Service (“IP CTS”) rather than the MARS Plan methodology—the efficiencies achieved by TRS providers allow for rate savings. Also, given that fully automated speech recognition (“ASR”) for IP CTS is under review for adoption by the Commission, trials can be permitted of fully ASR technology as an alternative to the CA-assisted method. Because IP CTS providers use speech recognition as part of their service already, this is a reasonable path forward based on current broad utilization. The benefits of fully ASR technology are faster and enable more private communications at a lower cost, so long as protections are in place to guard against waste, fraud and abuse.

The development of newer technologies for assistive communications suggests that maintaining an ever-increasing TRS fund to support outdated technologies does not make good fiscal sense. USTelecom has repeatedly expressed concerns over recent years’ unsustainable increases in the TRS fund size and contribution factor.<sup>3</sup> Notably, the size of the TRS Fund has grown exponentially from \$711 million in the 2012 – 2013 funding year, to the \$1.4 billion proposed this year.<sup>4</sup>

Despite the multi-year upward trend, we are encouraged by the fact that both the fund size and contribution factor have decreased slightly from last year. However, those figures remain relatively large, threatening the integrity and long-term viability of this important program. As discussed above, new technologies are creating remarkable efficiencies in speech recognition. Rather than continuing to stretch the fund, USTelecom encourages the Commission

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<sup>3</sup> See e.g., Comments of the United States Telecom Association, CG Docket No. 03-123, CG Docket No. 10-51 (submitted May 31, 2013); Comments of the United States Telecom Association, CG Docket No. 03-123, CG Docket No. 10-51 (submitted May 24, 2016); Comments of the United States Telecom Association, CG Docket No. 03-123, CG Docket No. 10-51 (submitted May 4, 2017); Reply Comments of USTelecom-The Broadband Association, CG Docket Nos. 10-51, 03-123 (submitted June 8, 2018) (*June 8, 2018 USTelecom Comments*).

<sup>4</sup> See Notice at 3.

to ensure that TRS providers adopt these new technologies and take advantage of their efficiency. Furthermore, additional education on the Commission's website could advise the public of alternative or new technologies – not subject to the TRS Fund – that could help people with disabilities to communicate. Generally, attention to business efficiency which measures all aspects of a business and adjusts accordingly, has become an increasingly necessary dynamic due to the exponential growth of the TRS Fund.

In this same vein, while USTelecom takes no position on Sprint's petition for interim waiver in this docket requesting compensation for specified costs involving outreach and research and development, USTelecom notes for the record that as a general matter research and development on TRS technologies is not something that should be captured by the TRS Fund, but should be the responsibility of vendors providing those technologies. USTelecom encourages the Commission to work toward finding efficiencies in the budget for the TRS Fund and believes that one potential way to do this is to disallow costs, such as research and development, from reimbursement eligibility.

Additionally, as USTelecom has noted previously in this docket<sup>5</sup> the Commission should establish a longer timeframe between when the final rates and budget size are announced and the effective date. As it stands now, both the Commission's order announcing the rate increase and its effective date will likely occur on or around the same date (*i.e.*, approximately July 1). This timeframe does not allow sufficient time for carriers to plan for changes in costs. Because TRS factors are part of the exogenous costs calculation of ILECs annual filings, a delay in the effective date forces ILECs to use dated factors in the current year's filings. Any change in the factor would require additional filings by ILECs in the following quarter.

The Commission should continue to be deliberate as it considers and cultivates the

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<sup>5</sup> See *e.g.*, June 8, 2018 USTelecom Comments at 3.

ingredients and rate payment methodologies of TRS Fund budget. We are pleased that the budget has decreased this year and encourage the Commission to continue its path towards encouraging of the use of newer technologies that are lower cost, thus utilizing the budget for the TRS Fund as efficiently as possible.

Respectfully submitted,

USTELECOM



By:

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